

INTERVENTION



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AZ CORP COMMISSION
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BEFORE THE ARIZONA

Arizona Corporation Commission

DOCKETED

NOV 27 2001

WILLIAM A. MUNDELL
CHAIRMAN

JIM IRVIN

COMMISSIONER

MARC SPITZER

COMMISSIONER

DOCKETED BY

IN THE MATTER OF THE ARIZONA
PUBLIC SERVICE COMPANY'S REQUEST
FOR A VARIANCE OF CERTAIN
REQUIREMENTS OF A.A.C. R14-2-1606

) DOCKET NO. E-01345A-01-0822
)
) **APPLICATION OF THE ARIZONA**
) **TRANSMISSION DEPENDENT UTILITY**
) **GROUP AND ITS MEMBERS FOR LEAVE TO**
) **INTERVENE**

Pursuant to A.A.C. R14-3-105, the Arizona Transmission Dependent
Utility Group ("ATDUG") and its individual members¹ individually and
collectively move to intervene in the above-captioned proceeding.

ATDUG represents the interests of its members with regard to the
regulation of the delivery of retail electricity in Arizona. All but
one of ATDUG's members are small public entities that provide retail
electric service to retail customers in Arizona. None of ATDUG's
members are regulated by the Arizona Corporation Commission. However,
many of them have contracts with Arizona Public Service Company at

¹ Aguila Irrigation District, Ak-Chin Indian Community, Buckeye Water Conservation &
Drainage District, Central Arizona Water Conservation District, Electrical District
No. 3, Electrical District No. 4, Electrical District No. 5, Electrical District No.
7, Electrical District No. 8, Harquahala Valley Power District, Maricopa County
Municipal Water District No. 1, McMullen Valley Water Conservation and Drainage
District, Roosevelt Irrigation District, City of Safford, Tonopah Irrigation
District, Wellton-Mohawk Irrigation and Drainage District.

1 present and all of them will be impacted, directly or indirectly, by
2 any action taken by the Arizona Corporation Commission ("Commission")
3 on the APS application subject of this proceeding.

4 Indeed, the Commission Staff's Response filed November 16, 2001
5 indicates the importance of this proceeding by saying: "...it is
6 Staff's opinion that the APS Request has far-reaching implications in
7 connection with the Commission's attempts to restructure the electric
8 utility industry in Arizona." (Staff's Response, p.1.) Additionally,
9 staff "anticipates substantial participation from potentially affected
10 entities..." (Staff's Response, p.8).

11 To the best of our knowledge and belief, no hearing has been set
12 in this proceeding. This application will not broaden the issues
13 presented in this proceeding. Indeed, it would be difficult to
14 imagine how the issues in this proceeding could be broadened, given
15 the Staff's response to the application. Moreover, this application
16 satisfies the intent of R14-3-105.C. in combining members of a class
17 with like interests in a single representation. No other party to
18 this proceeding can represent the interests of ATDUG or its individual
19 members.

20 ATDUG requests that all documents, notices, pleadings and other
21 communications in connection with this proceeding be directed to:

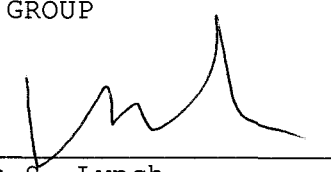
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E-mail: dld@krsaline.com

5 For all the reasons previously discussed, ATDUG and its
6 individual members respectfully request that they be granted leave to
7 intervene in these proceedings and that ATDUG and each of its
8 individual members be accorded full status of an intervenor under the
9 Commission's rules and regulations.

10 DATED this 27th day of November, 2001.

11
12 ARIZONA TRANSMISSION DEPENDENT
13 UTILITY GROUP

14
15 By 
16 Robert S. Lynch
17 Attorney for the Arizona
18 Transmission Dependent
19 Utility Group and its members

20 Original and 10 copies of the
21 foregoing filed this 27th day
of November, 2001 with:

22 Docket Control
23 Arizona Corporation Commission
24 1200 West Washington Street
25 Phoenix, Arizona

Copy of the foregoing hand
delivered this 27th day of
November, 2001 to:

1 Lyn Farmer
2 Chief Administrative Law Judge
3 Hearing Division
4 Arizona Corporation Commission
5 1200 W. Washington Street
6 Phoenix, Arizona 85007

7 Chris Kempley, Chief Counsel
8 Legal Division
9 Arizona Corporation Commission
10 1200 W. Washington Street
11 Phoenix, Arizona 85007

12 Copy of the foregoing mailed
13 this 27th day of November, 2001,
14 to:

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